

REMARKS

This Response is in reply to the final Office Action mailed on November 2, 2009. Applicant requests continued examination of the present application pursuant to 37 CFR § 1.114 and has enclosed the appropriate fee. Applicant has also enclosed herewith a petition for a one-month extension of time under 37 § CFR 1.136 along with the requisite fee.

Applicant has amended independent claims 59, 65, 67, and 71 as indicated in the above listing of claims. Applicant's amendments clarify that all of the communications, reports, and alerts occur in real-time and without a prior request from the user. Applicant has also amended claim 66 to correct a typographical error. Applicant submits that the amendments are supported by the specification as filed and contain no statutory new matter.

Claim Rejections – 35 USC § 103

The Examiner has rejected the previously presented version of the claims under 35 USC § 103 as being obvious to a person of ordinary skill in the art in view of U.S. Pat. App. Pub. No. 2002/0125998 to Petite ("Petite"), U.S. Pat. No. 6,078,255 to Dividock ("Dividock"), U.S. Pat. App. Pub. No. 2008/0065456 to Labedz ("Labedz"), and U.S. Pat. App. Pub. No. 2003/0078798 to Zaks ("Zaks"). Applicant submits that the claims, as amended, are not obvious in view of the prior art of record.

Specifically, Applicant has amended the independent claims to clarify that all communications in Applicant's system and method are performed in real-time, including all communications to and from the wireless handheld computing device as well as all alerts and generated reports. On page 13 of the Office Action, the Examiner cites Dividock, Col. 8, lines 44-67 as an example of real-time reports. Applicant respectfully submits that the cited portions of Dividock refer to "as-needed" reports that are only generated on a delayed basis if requested by the insurance company claim representative or defense attorney. By contrast, Applicant's reports are generated in real-time without waiting for a request from the property manager, security guard, or any other person. *See* specification, ¶ [0091].

The Examiner also cites the daily reporting of Zaks, ¶ [0077], as a “real-time” report. *See* Office Action, p. 13. Applicant respectfully submits that the plain meaning of the term “real-time” is not encompassed by a mere daily report. The Merriam-Webster dictionary, for example, defines “real-time” as:

the actual time during which something takes place <the computer
may partly analyze the data in *real time* (as it comes in) — R. H.
March> <chatted online in *real time*>

<http://www.merriam-webster.com/dictionary/real%20time>

Applicant submits that a mere daily report is not analogous to Applicant’s real-time reports in which a property manager, security guard, or other person may be informed of an event substantially as the event happens so appropriate corrective action may be taken.

Conclusion

In conclusion, Applicant submits that the cited prior art does not render Applicant's amended claims obvious to a person having ordinary skill in the art. Applicant therefore requests allowance of all claims, as amended.

If any additional fees are due in connection with the filing of this Response or the accompanying papers, such as fees under 37 C.F.R. §§ 1.16 or 1.17, please charge the fees to SGR Deposit Account No. 02-4300, Order No. 048219.00301. If an additional extension of time under 37 C.F.R. § 1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The additional extension fee also should be charged to SGR Deposit Account No. 02-4300, Order No. 048219.00301. Any overpayment can be credited to Deposit Account No. 02-4300, Order No. 048219.00301.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dana T. Hustins', with a long horizontal line extending to the right.

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